



IN THE UNITED STATES PATENT & TRADEMARKS OFFICE

ART UNIT: 1651
EXAMINER: UNKNOWN
APPLICANT: Tracy Gibbs
SERIAL NO.: 10/806,669
FILED: 03/22/2004
CONFRM. NO.: 1161
FOR: NUTRIENT ABSORPTION
ENHANCING COMPOSITIONS
AND METHODS
ATTORNEY DOCKET NO. T8907.CON

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF PATENT
APPLICATION Filing Date
Granted**

**CERTIFICATE OF MAILING
UNDER 37 C.F.R. § 1.8**

DATE OF DEPOSIT: 08/06/04

I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Denise Dyer
Denise Dyer

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

In response to the Notice to File Missing Parts of Application mailed 06/07/2004, please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

- ☒ A copy of the Notice to File Missing Parts of Application Filing Date Granted.
- ☒ Applicant claims small entity status under 37 CFR 1.9(b) & 1.27(c).
- ☒ An Assignment from the inventors to HEALTH EDUCATION CORPORATION.
- ☒ Declaration and Petition.
- ☒ Power of Attorney.
- ☐ Prior Art Statement, Form PTO-1449, and copies of cited prior art.
- ☐ A Petition for a _____-Month Extension of Time Under 37 CFR 1.136(a).

Response To Notice To File Missing Parts Of Patent Application

Page 2

The filing fee has been calculated as shown below.

			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE			\$385.00	\$385.00	\$770.00	
TOT. CLAIMS	63-20=	43	x \$9.00 =	\$ 387.00	x \$18.00 =	
IND. CLAIMS	-03=	0	x \$43.00 =		x \$86.00 =	
MULTIPLE DEPENDENT CLAIMS PRESENTED		0	\$145.00		\$290.00	
ASSIGNMENT FILING FEE			\$40.00	\$40.00	\$40.00	
SURCHARGE FEE			\$65.00	\$65.00	\$130.00	
			TOTAL	\$ 877.00	TOTAL	

☒ A check in the amount of \$ 877.00 is enclosed to cover the filing fee (including the surcharge fee and the assignment recordation fee).

The Commissioner is hereby authorized to charge any additional fees associated with this communication or to credit any overpayment to Deposit Account No. 20-0100.


Dated this 6 day of August, 2004.

Respectfully submitted,

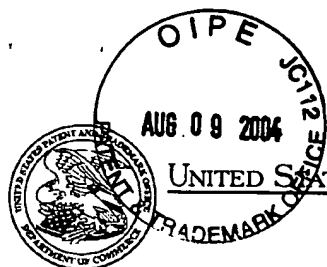


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DWO/dd
Enclosure

IFW #



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/806,669	03/22/2004	Tracy Gibbs	T8907.CON

M. Wayne Western
 THORPE NORTH & WESTERN, LLP
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CONFIRMATION NO. 1161
 FORMALITIES LETTER
 OC000000012891020
 OC000000012891020

Date Mailed: 06/07/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$387** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$837** for a Small Entity

- | | | | |
|--|-------------------|----------|-----------|
| | 08/10/2004 MAHME1 | 00000072 | 10806669 |
| • \$385 Statutory basic filing fee. | 01 FC:2001 | | 385.00 OP |
| • \$65 Late oath or declaration Surcharge. | 02 FC:2051 | | 65.00 OP |
| | 03 FC:2202 | | 387.00 OP |
- Total additional claim fee(s) for this application is **\$387**
 - \$387 for 43 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
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Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE